

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

DONALD JOSEPH )  
CALDERWOOD, JR., )  
*Inmate # 20-0447,* )  
Plaintiff, )  
 )  
v. ) CIVIL ACTION NO. 1:22-00490-JB-N  
 )  
STATE OF TEXAS, )  
Defendant. )

**ORDER**

After due and proper consideration of the issues raised, and there having been no objections filed, the Report and Recommendation of the Magistrate Judge (Doc. 2) made under 28 U.S.C. § 636(b)(1)(B)-(C), Federal Rule of Criminal Procedure 59(b), and S.D. Ala. GenLR 72(a), and dated December 29, 2022, is **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that the state criminal prosecution(s) pending against Donald Joseph Calderwood, Jr. in Harrison County, Texas, at the time he filed his “Notice of Removal” (Doc. 1) be **SUMMARILY REMANDED** under 28 U.S.C. § 1455(b)(4) to the Texas state court(s) from which they were removed.

**DONE and ORDERED** this 25<sup>th</sup> day of January, 2023.

/s/ JEFFREY U. BEAVERSTOCK  
CHIEF UNITED STATES DISTRICT JUDGE